



**HOUSING AUTHORITY  
of the County of Los Angeles**

Administrative Office  
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**Gloria Molina**  
**Yvonne Brathwaite Burke**  
**Zev Yaroslavsky**  
**Don Knabe**  
**Michael D. Antonovich**  
Commissioners

**William K. Huang**  
Acting Executive Director

**AGENDA  
FOR THE REGULAR MEETING OF THE  
LOS ANGELES COUNTY HOUSING COMMISSION  
WEDNESDAY, SEPTEMBER 24, 2008**

**12:00 NOON  
HOUSING AUTHORITY  
12131 TELEGRAPH ROAD  
SANTA FE SPRINGS, CA 90670  
(562) 347-4663 EXT. 8196**

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**1. Call to Order**

**2. Roll Call**

**Severyn Aszkenazy, Chair  
Adriana Martinez, Vice Chair  
Philip Dauk  
Lynn Caffrey Gabriel  
Henry Porter, Jr.  
Alberta Parrish**

**3. Reading and Approval of the Minutes of the Previous Meetings**

Regular Meeting of August 27, 2008

**4. Report of the Executive Director**

**5. Public Comments**

The public may speak on matters that are within the jurisdiction of the Housing Commission. Each person is limited to three minutes.

**6. Staff Presentations**

Yardi Voyager Systems Demonstration – Margarita Lares

## **Regular Agenda**

### **7. Approve Contract for a Physical Needs Assessment for Housing Developments within Los Angeles County (All Districts)**

Recommend that the Board of Commissioners find that approval of a Contract for a physical needs assessment is not subject to the provisions of the California Environmental Quality Act; approve and authorize the Acting Executive Director of the Housing Authority to execute a Contract in the amount of \$170,019 in Capital Funds Program (CFP) funds provided by HUD, with Clampett Industries, LLC d/b/a EMG (EMG), to be effective upon Board approval through November 30, 2009, to provide physical needs assessment services for 56 housing developments located throughout the County of Los Angeles that are owned or managed by the Housing Authority; authorize the Acting Executive Director to approve Contract change orders not exceeding \$42,504; authorize the Acting Executive Director to incorporate up to \$212,523 in CFP funds into the Housing Authority's approved Fiscal Year 2008-2009 budget; authorize the Acting Executive Director to execute amendments to the Contract for an annual ongoing database maintenance fee, following approval as to form by County Counsel, to extend the time of performance for a maximum of four years, in one-year increments, at the cost of \$7,500 per year, using funds to be approved through the annual budget process. (APPROVE)

### **8. Housing Commissioners Comments and Recommendations for Future Agenda Items**

Housing Commissioners may provide comments or suggestions for future Agenda items.

Copies of the preceding agenda items are on file and are available for public inspection between 8:00 a.m. and 5:00 p.m., Monday through Friday, at the Housing Authority's main office located at 2 Coral Circle in the City of Monterey Park. Access to the agenda and supporting documents is also available on the Housing Authority's website.

Agendas in Braille are available upon request. American Sign Language (ASL) interpreters, or reasonable modifications to Housing Commission meeting policies and/or procedures, to assist members of the disabled community who would like to request a disability-related accommodation in addressing the Commission, are available if requested at least three business days prior to the Board meeting. Later requests will be accommodated to the extent possible. Please contact the Executive Office of the Housing Authority by phone at (323) 838-5051, or by e-mail at [marisol.ramirez@lacdc.org](mailto:marisol.ramirez@lacdc.org), from 8:00 a.m. to 5:00 p.m., Monday through Friday.

THE HOUSING AUTHORITY OF THE COUNTY OF LOS ANGELES

MINUTES FOR THE REGULAR MEETING OF THE

LOS ANGELES COUNTY HOUSING COMMISSION

Wednesday, August 27, 2008

The meeting was convened at the Lomita Manor, located at 24925 Walnut Street, Lomita, California.

Digest of the meeting. The Minutes are being reported seriatim. A taped record is on file at the main office of the Housing Authority.

The meeting was called to order by Chair Severyn Aszkenazy at **12:13 p.m.**

**ROLL CALL**

**Present**

**Absent**

Severyn Aszkenazy

X

Adriana Martinez

X

Philip Dauk

X

Lynn Caffrey Gabriel

X

Henry Porter, Jr.

X

Alberta Parrish

X

**PARTIAL LIST OF STAFF PRESENT:**

Bill Huang, Acting Executive Director

Bobbette Glover, Assistant Executive Director

Maria Badrakhan, Director, Housing Management

**GUESTS PRESENT:**

Ms. Susan Petkus, Lomita Manor Tenant Association Board Treasurer

Ms. Yucel Lorillo, Lomita Manor Resident

**Reading and Approval of the Minutes of the Previous Meeting**

On Motion by Commissioner Porter, seconded by Commissioner Gabriel, the Minutes of the Regular Meeting of July 23, 2008 were approved.

**Agenda Item No. 4 - Report of the Executive Director**

Ms. Glover reported that as a result of Commissioner Aszkenazy's recommendation, reusable grocery bags donated by the Department of Public Works were distributed at our housing developments. Thank you notes to the Department of Public Works will be sent by the council members.

Ms. Glover provided an update on Ujima Village. She reported that on June 13, 2008, a meeting was held with 159 households regarding voluntary relocation. Section 8 applications have been offered to the residents, and those on the public housing waiting were automatically mailed public housing applications. A total of 25 families have relocated and 57 families have received vouchers and

are seeking housing. Several have moved into public housing. Some are having difficulty finding housing.

Ms. Glover stated that HUD will be asked to notify Ujima Village residents of a definite relocation deadline. She will meet with Maria Badrakhan and Gregg Fortner to begin developing a strategy for the property once all the tenants have relocated.

Mr. Bill Huang, Acting Executive Director, reported that the Board of Commissioners has approved the transfer of housing vouchers from the City of Lomita to the Housing Authority, in order to ease the City's financial hardship in continuing the program. However, HUD has denied the transfer due to the Housing Authority's troubled status. The Housing Authority plans to appeal the decision.

Mr. Huang reported that at his recent meeting with Steve Preston, the new Secretary of HUD, it was requested that the Section 8 Confirmatory Review be scheduled as soon as possible to reflect the Housing Authority's improved scores that could result in its removal from troubled status. As requested by Mr. Preston, a follow-up e-mail has been sent and the Housing Authority is awaiting a response.

Mr. Huang introduced Mr. Gregg Fortner, Assistant Executive Director/Consultant, in charge of Assisted Housing and Housing Management Division.

Esther Keosababian, Assistant Director of Housing Management, provided an overview of the Lomita Manor housing development and introduced Maria Ramirez, Resident Manager, and Victor Vargas, Maintenance Supervisor.

#### **Agenda Item No. 5 – Public Comments**

Ms. Susan Petkus introduced Lomita Manor resident, Ms. Yucel Lorillo, who asked that the home-based business policy be modified to address disturbances caused by business-related noise and outside persons coming to the site. Ms. Glover will look into the matter and report back.

#### **Agenda Item No. 6 - Staff Presentations**

Geoffrey Siebens presented the Quarterly Status Report.

### **Regular Agenda**

**On Motion by Commissioner Porter, seconded by Commissioner Gabriel, and unanimously carried, the following was approved by the Housing Commission:**

**APPROVE SETTLEMENT OF TORT LIABILITY AND CIVIL RIGHTS CASE OF  
SHALON ENNIS AND ERICA LEWIS VS. THE HOUSING AUTHORITY OF THE  
COUNTY OF LOS ANGELES AND CARLOS JACKSON  
CASE NO. BS 098 739 (ALL DISTRICTS)  
AGENDA ITEM NO. 7**

1. Recommend that the Board of Commissioners find that approval of a settlement in the above tort liability and civil rights case is not subject to the provisions of the California Environmental Quality Act (CEQA), as described herein, because the action is not defined as a project under CEQA.
2. Recommend that the Board of Commissioners approve a settlement in the amount of \$49,999.99 to Erica Lewis and \$15,000.00 to Shalon Ennis for Ennis and Lewis vs. the Housing Authority of the County of Los Angeles and Carlos Jackson and authorize the Acting Executive Director to execute a settlement agreement, following approval as to form by County Counsel.

**On Motion by Commissioner Dauk, seconded by Commissioner Parrish, and unanimously carried, the following was approved by the Housing Commission:**

**APPROVE VIDEO SURVEILLANCE SYSTEMS MONITORING AND  
MAINTENANCE CONTRACT FOR HOUSING DEVELOPMENTS WITHIN LOS  
ANGELES COUNTY (ALL DISTRICTS)  
AGENDA ITEM NO. 8**

1. Recommend that the Board of Commissioners find that the ongoing monitoring and maintenance of video surveillance systems is exempt from the California Environmental Quality Act (CEQA) as described herein, because the activities will not have the potential for causing a significant effect on the enforcement.
2. Recommend that the Board of Commissioners approve and authorize the Acting Executive Director of the Housing Authority to execute a one-year Contract in the amount of \$56,565 with West Beach Systems for the monitoring and maintenance of the Housing Authority's video surveillance equipment located throughout the County of Los Angeles at 14 housing developments that are owned, or managed by the Housing Authority.

3. Recommend that the Board of Commissioners authorize the Acting Executive Director to execute amendments to the one-year Contract, following approval as to form by County Counsel, to extend the time of performance for a maximum of two years, in one-year increments, at the cost of \$67,680 per year, using funds to be approved through the annual budget process.
4. Recommend that the Board of Commissioners authorize the Acting Executive Director to execute amendments for any additional services up to \$85,000 over the term of the Contract, consisting of a \$10,000 U.S. Department of Justice Grant included in the Housing Authority's approved Fiscal Year 2008-2009 budget and \$75,000 in Conventional Public Housing Operating Funds allocated by HUD to cover any unanticipated equipment failures and additional equipment needed to maintain the safety of residents at housing developments throughout the County.
5. Recommend that the Board of Commissioners authorize the Acting Executive Director to incorporate up to \$75,000 in Conventional Public Housing Operating Funds into the Housing Authority's approved Fiscal Year 2008-2009 budget, for the purposes described above.

**On Motion by Commissioner Dauk, seconded by Commissioner Parrish, and unanimously carried, the following was approved by the Housing Commission:**

APPROVE A 20-YEAR GROUND LEASE WITH A 5-YEAR RENEWAL OPTION  
WITH THE CITY OF LONG BEACH (ALL DISTRICTS)  
AGENDA ITEM NO. 9

1. Recommend that the Board of Commissioners find that the approval of the attached 20-year Ground Lease Agreement, with a 5-year renewal option, is exempt from the provisions of the California Environmental Quality Act (CEQA), as described herein, because the action will not have the potential for causing a significant effect on the environment.
2. Recommend that the Board of Commissioners authorize the Acting Executive Director to execute the attached Ground Lease Agreement for a period of twenty years.
3. Recommend that the Board of Commissioners authorize the Acting Executive Director to execute a renewal option for an additional five years upon the same terms and conditions set forth in the attached Ground Lease Agreement.

**Agenda Item No. 10 – Housing Commissioner Comments and Recommendations for Future Agenda Items**

Commissioner Porter inquired about the distribution of savings funds and accrued interest to Family and Self-Sufficiency participants, and whether participants receive 1099 Tax Forms. Mr. Fortner will look into the matter and report back.

Commissioner Gabriel asked if residents receive assistance with obtaining absentee ballots during election periods. Ms. Petkus responded that the forms are available at the site and someone is available every Thursday around election time to assist the residents. Maria Badrakhan, Housing Management Director, added that many of our housing developments are polling places.

Commissioner Aszkenazy requested that news articles be e-mailed to the Commissioners. Bill Huang stated that names can be added to the list to receive daily and weekly press articles. However, trade publications and other periodicals might be too cumbersome to be e-mailed.

Commissioner Aszkenazy commented that he was impressed with the physical up-keep of Lomita Manor.

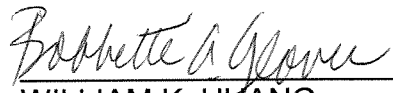
Commissioner Aszkenazy asked if the Housing Authority monitors interior painting completed by residents in the units, and how it is verified that vendors are properly insured. Maria Badrakhan responded that it is primarily families that make their own improvements, and that the completed work is checked by staff. Tomas Lopez, Housing Management Consulting Attorney, stated that vendors completing improvements for residents at the sites are required to have the standard insurance coverage, and must meet the work specifications set by the maintenance supervisor. There are also additional legal requirements to ensure that the work is completed in a professional manner. When flooring is installed, residents are required to provide additional floor boards which might be needed for future repairs. Commissioner Porter asked if residents are advised in writing that floor installations are part of the unit and not tenant-owned. Mr. Lopez confirmed that this is documented. Commissioner Porter asked if the Handy Worker Program is being utilized by residents. Ms. Glover will check and report back.

Commissioner Aszkenazy inquired about the number of units being customized. Mr. Lopez estimated the following: close to 100% in West County; 80-90% at Kings Road; and less than 5% at West Knoll. Commissioner Aszkenazy expressed concerns about allowing residents to customize their units, adding that the buildings are not acoustically designed for hard surface floors and that this might be creating issues for the Housing Authority. Commissioner Porter suggested that staff research sound insulation ordinance requirements. Mr. Lopez clarified that the modification work completed at the three sites mentioned relate primarily to the American's with Disabilities Act and that changes cannot be made to any unit unless discussed in advance and approved by management.

Commissioner Gabriel expressed concerns and requested a status report on a recent news article regarding children developing skin bumps due to bathing in the water at Ujima Village. Ms. Glover responded that the site is undergoing many tests to determine actual or potential health risks to the residents. Reports issued thus far indicate that there are no health risks. While the ground water is contaminated, the water used for drinking and bathing is safe. During public meetings held for the Ujima Village residents, Ms. Glover announced that any resident that feels they have a medical problem caused by ground water contamination should seek medical attention and report the illness to the Housing Authority. To date, no problems have been reported.

On Motion by Commissioner Porter the Regular Meeting of August 27, 2008, was adjourned at 1:25 p.m.

Respectfully submitted,

  
for WILLIAM K. HUANG  
Acting Executive Director  
Secretary –Treasurer



# NEWS ARTICLES

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## Housing Affairs Letter Stories posted week of 8/16/08 - 8/22/08

### **Affordable Housing**

#### State Gets Affordable Housing Boost

California: HUD Secy. Steven Preston jets to the West Coast to join Gov. Arnold Schwarzenegger (R) in fanfare over the department's allocation of \$105 million for affordable housing and community development. The subsidy financially reinforces the state's Proposition 1C program, the Housing & Emergency Shelter Trust Fund Act of 2006, which now has about \$3 billion in general obligation bond financing.

The federal subsidy includes \$39.3 million in Community Development Block Grants (CDBG), \$55.8 million in HOME Investment Partnerships funding, \$371,363 for the state's American Dream Downpayment Initiative (ADDI), \$6.8 million in Emergency Shelter Grants, and \$3 million for Housing Opportunities for Persons with AIDS (HOPWA).

08/22/2008 1:04 PM

### **Low-Income Housing**

#### City In Immigration Sec. 8 Squeeze

Virginia: Manassas and Manassas Park officials discover the communities are overwhelmed with Sec. 8 housing voucher applicants following a record number of foreclosures. The communities experienced a surge of Latin American immigrants in this decade, many becoming homeowners. With the evaporation of jobs, they have seen more than 450 foreclosures—77 in the first three weeks of July alone—with a disproportionate share concentrated in the new Hispanic communities.

Consequently, homeowners who haven't abandoned the area have become renters. On the first day the Manassas Family Services Dept. opened its Sec. 8 waiting list in two years, 236 people applied for assistance. The communities now have 300 vouchers in the system, supplied by the Virginia Housing Development Authority, which administers them for HUD.

08/22/2008 1:09 PM

# City lauds efforts of LAN-CAP

By DAISY RATZLAFF  
Valley Press Staff Writer

LANCASTER — Sheriff's Station deputies of the Lancaster Community Appreciation Project made more than 1,307 observation arrests, conducted 61 search warrants, and seized 88 firearms and more than 75 pounds of illegal narcotics during the last 12 months, authorities said.

The 12-month period was focused on making observation arrests and searching premises associated with illegal narcotics sales, gun possessions and property-related crimes, Sheriff's Station Capt. Axel Anderson said.

"The team has been incredibly effective, making an average of over 3.5 arrests per day in the year," Anderson said. "This is an example of top-notch police work by these deputies, and it couldn't have happened without the support of the city and the District Attorney's Office."

The LAN-CAP team was created through a partnership among the city, the Lancaster Sheriff's Station and the District Attorney's Office by Deputy District Attorney David Berger in March 2004.

Consisting of a nine-man team dedicated to working with property managers and landlords, the team targets crime in and around city rental properties, which law enforcement and city officials said are hit the hardest by gang activity, violent crimes and property crime.

Saying that the team has worked very hard during the years since its initiation, Anderson is certain the team will continue its success.

In addition to focusing on law enforcement, the team also aims to improve the quality of life within Lancaster.

Deputies of the LAN-CAP team provide courses for rental operators to train them on how to maintain crime-free rental properties.

Within those classes, property managers and owners are schooled on the effective use of law enforcement, the warning signs of narcotics use and gangs, how to work with Section 8 housing, tenant selection and screening processes, and the laws on how to attract and keep good tenants, according to [cityoflancasterca.org](http://cityoflancasterca.org).

Mayor R. Rex Parris was proud of the significant impact the team has made on creating and maintaining a safe city.

"These numbers demonstrate that our efforts in public safety are making a difference in this community," Parris said. "Through the continued cooperation between the Sheriff's Station,

the city and other local agencies, we will make this city even safer for our citizens."

Parris also said the team is sending a message of protection and warning criminals to stay out of Lancaster.

"The city of Lancaster continues to diversify its attack on criminals, expanding our efforts to eradicate crime, protect our citizens and broadcast an important message to criminals: Get out now or get ready for a stay in prison," Parris said.

[dratzlaff@avpress.com](mailto:dratzlaff@avpress.com)

“The city of Lancaster continues to ... broadcast an important message to criminals: Get out now or get ready for a stay in prison.”

— R. Rex Parris, Lancaster mayor

# HDR

## CURRENT DEVELOPMENTS

In Housing, Community Development, Finance and Taxation

AUGUST 18, 2008

Vol. 36, No. CD-16

### HIGHLIGHTS

## ✓ President Bush Signs Major Housing Legislation; Housing, Mortgage Groups Generally Applaud Measure

By Joseph P. Poduska

President Bush signed the Housing and Economic Recovery Act of 2008 (H.R. 3221, Pub.L. 110-289) on July 30, a sweeping measure which features an FHA refinancing program for troubled borrowers, a new regulatory structure for the housing government-sponsored enterprises (GSEs), an affordable housing trust funded by Fannie Mae and Freddie Mac, FHA modernization, and additional tax incentives for housing.

The Senate approved the bill, 72-13, on July 26, agreeing to House amendments approved on July 23. (For background, see *Current Developments*, Vol. 36, No. CD-15, p. 449.)

For the most part, housing and mortgage finance groups acclaimed the new law for helping homeowners refinance troubled subprime mortgages, creating a program to stabilize neighborhoods through redevelopment of foreclosed properties, and making their recommended changes to the Section 8 voucher and public housing programs.

### Foreclosure Relief

The HOPE for Homeowners FHA refinancing program will not take effect until October 1, raising concerns about borrowers facing foreclosure before they can get refinancing help.

House Financial Services Committee Chairman Barney Frank (D-Mass.) and other committee members wrote to mortgage companies asking them to delay foreclosures for homeowners who potentially qualify for the new program. Frank scheduled a follow-up hearing on mortgage forbearance on September 17.

The National Community Reinvestment Coalition (NCRC) said the new FHA refinancing program is welcome, but is likely to have little effect on the foreclosure crisis. NCRC said the program will probably not be operating at full capacity until next year, and even then, the impact will be modest.

NCRC said that according to best estimates, 400,000

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families will be assisted with the new legislation, while an estimated 2.5 million households will go through foreclosure this year alone.

### **Redevelopment of Properties**

The legislation also appropriates \$3.92 billion for assistance to state and local governments to redevelop abandoned and foreclosed homes and residential properties. In an analysis of the bill, the Center on Budget and Policy Priorities (CBPP) said that states and localities have a great deal of discretion in how to use the stabilization funds, but they must act quickly since the funds must be committed within 18 months.

"It is important for communities that are not already well along on planning how to use the funds to work quickly," said CBPP.

Jane DeMarines, executive director of the National Alliance of Community Economic Development Associations (NACEDA), said her organization, which represents community development corporations (CDCs), especially values the program as a neighborhood stabilization vehicle.

"While each foreclosure is devastating to the families involved, each also impacts the value of the entire neighborhood, and vacant properties become a breeding ground for crime and blight," DeMarines said. She said that the legislation recognizes the need "to deal with a problem that can grow exponentially if not dealt with aggressively."

### **Housing Trust Fund**

The National Low Income Housing Coalition (NLIHC) had cause for celebration with the enactment of an affordable housing trust fund, a goal that its members had worked on for years.

The trust fund will get about \$300 million per year from the annual assessments on Fannie Mae and Freddie Mac when they become fully available to the fund in 2012, according to CBPP. The amount is expected to grow over time, and the bill allows Congress to provide other funding sources.

"Today marks the return of the federal government to the business of supporting the production of rental homes for families whose incomes are too low to afford to rent

decent homes in today's housing market," said Sheila Crowley, NLIHC president, in a statement issued after the bill was signed.

"There are 9 million extremely low-income renter households in the U.S., and only 6.2 million homes renting at prices they can afford," Crowley added. "This is a long-standing crisis that has been ignored by federal policy makers for too long. The enactment of the housing trust fund offers these families hope for more stable homes and healthier, more productive lives."

### **Section 8, Public Housing**

The CBPP analysis noted that the legislation contains several changes to make it easier for PHAs and project owners to use the Section 8 project-based voucher (PBV) program to subsidize rental housing. The changes went into effect once the bill was signed, said CBPP, which recommended that HUD issue a notice suspending current regulations that conflict with the new law until revised rules can be issued.

The legislation also exempts nontroubled PHAs with no more than 550 public housing units and vouchers from the requirements to submit an annual plan. This provision was supported by the National Association of Housing and Redevelopment Officials (NAHRO) and the Public Housing Authorities Directors Association (PHADA), which said that small agencies need regulatory relief.

However, the CBPP said this change could make it more difficult for public housing residents and stakeholders to obtain key information about agency operations.

In other comments, NAHRO said the bill includes several items of vital importance to housing and community development needs, include the housing trust fund and neighborhood stabilization grants. "H.R. 3221 is perhaps the most significant piece of housing legislation in years," said NAHRO President Renee Rooker.

"This new law will usher in much-needed relief for the current foreclosure crisis and is critically important to helping keep families that are at risk for foreclosure in their homes," said Conrad Egan, president of the National Housing Conference. "In addition, the nearly \$4 billion in emergency neighborhood stabilization funding provided will help ensure that communities with high foreclosure rates are able to recapture their former strength and vitality."

The court said the Court of Federal Claims should allow both sides to supplement the record with additional relevant evidence if they choose to do so.

#### PUBLIC HOUSING

### *our case* Housing Authority Can Evict Tenant For Misrepresentation of Income

A housing authority has discretion to terminate the public housing tenancy of a resident who misrepresented his income, ruled the California Court of Appeal, Second District, Division 1. (*Shustov v. Housing Authority of the County of Los Angeles*, No. B198990, 2008 WL 2877829 (Cal. App. 2 Dist.), July 28, 2008)

The Housing Authority of the County of Los Angeles granted Valentin Shustov's application for public housing based on his assertion that he had no income other than Social Security. When the authority learned that Shustov earned income as an adjunct college professor, it evicted him. Shustov appealed the trial court's grant of summary judgment.

Shustov claimed that the authority instigated a malicious eviction campaign against him based on his innocent mistake in failing to report his income. The authority's eviction, argued Shustov, was a breach of the covenant of good faith and fair dealing implied in every contract, including his public housing lease agreement and the Admissions and Continued Occupancy Policies (ACOP).

#### Failure to Report Income

While Shustov apparently believed that the housing authority's sole remedy against him was to raise his rent, the court said, the authority said it was undisputed that Shustov's failure to report his income was a material breach of his lease, which justified his eviction.

Shustov argued on appeal that the court should reverse the trial court's judgment because the trial court misinterpreted the lease. He said that under the ACOP, the housing authority's exclusive remedies for his failure to report income were increasing his rent retroactively to the date his change in income became effective, recovering underpaid past rent, and requiring him to sign a repayment agreement.

In effect, Shustov argued that the lease, which authorized the authority to evict him based on his unreported income, was ineffective from the outset because it was inconsistent with the ACOP, which controlled over the terms of the lease.

#### Court Ruling

The court disagreed. The lease specifically states that misrepresentation of information by the tenant may result in termination and/or retroactive rent charges, and the court said the lease language is unambiguous and controls the result in this case.

The court also emphasized that the ACOP did not state that retroactive rent was the exclusive remedy available to the authority.

The court said that the contracts Shustov signed gave

the authority the ability to evict him and to charge him retroactive rent. The court noted that Shustov did not cite the chapter of the ACOP that described the rules allowing the authority to terminate a resident's lease. It ruled that the trial court properly granted summary judgment in favor of the authority based on Shustov's failure to report income.

#### RENT CONTROL

### Current Owner Liable for Excessive Rent Charged by Former Landlord

The current owner of an apartment building is liable for unlawful rent increases imposed on a tenant by a former landlord, the California Court of Appeal, First District, Division 4, ruled. (*Baychester Shopping Center, Inc. v. San Francisco Residential Rent Stabilization and Arbitration Board of the City and County of San Francisco*, No. A118684 (San Francisco County Super. Ct. No. 06-506681), 2008 WL 2257757 (Cal.App. 1 Dist.), June 3, 2008)

The court affirmed the trial court's ruling upholding the decision of the Rent Stabilization and Arbitration Board of the City and County of San Francisco.

Baychester Shopping Center, Inc. purchased the nine-unit apartment building from Svend Hansen on December 23, 2005, while a dispute over the rent charged to one of the tenants was pending. An administrative law judge subsequently ruled that Baychester was liable for \$41,414.10 for rent overpayments from October 1, 2002, through December 31, 2005.

The board rejected Baychester's appeal, and the trial court denied a petition for a writ of administrative mandamus, finding that the board did not act in excess of its jurisdiction or abuse its discretion in awarding overpayments for a period in which Baychester did not own the building.

#### Court Ruling

On appeal, the court noted that the San Francisco rent ordinance, Section 37.2, defines a landlord as an owner, lessor, or sublessor who is entitled to receive rent for a residential unit "and the agent, representative or successor of any of the foregoing."

The ordinance also provides that a landlord can be held liable to a tenant for rent overpayments resulting from unlawful rent increases for the three-year period prior to the filing of a tenant petition.

"Under the plain language of the rent ordinance, it is clear that the Board properly found Baychester liable," the court said. "As a successor in interest to Hansen, Baychester was liable for rent increases exceeding the limitations published by the Board for the three-year period preceding the filing of the tenant petition."

#### Other Issues

The court also upheld the trial court's rejection of Baychester's claim that it was shielded from liability by Civil Code Section 1466, which says that owners acquiring property subject to a covenant running with the land

aren't liable for breaches of the covenant before they acquired the property.

Section 1466 is inapplicable in this case, the court said, because the rent overcharges constituted a violation of the rent ordinance, not the breach of a covenant.

The court also found no substantive or procedural due process violations in the operation of the ordinance. Substantively, the court said the provisions in the ordinance concerning rent increases and challenges are reasonably related to the purpose of protecting tenants from excessive increases.

Procedurally, the court said it could not conclude that it is unreasonable to require a successor landlord to exercise due diligence in purchasing rental property and to determine if tenant rents comply with the rent ordinance.

"Moreover, we recognize that a successor landlord is in a better position to seek recourse against the prior owner for any unlawful rent increases," the court said. "The rent ordinance's procedures thus protect tenants from uncontrolled rent increases and place the burden of safeguarding against those increases on the party best able to absorb the costs."

#### FAIR HOUSING

### Eviction of Tenant, Son from Public Housing Project for Elderly Upheld

The U.S. Court of Appeals for the Fifth Circuit affirmed the eviction of a tenant and her son from a public housing project designated for the elderly, upholding the district court's decision to allow the PHA to amend its answer to a complaint of familial status discrimination in order to raise the status of the project as a defense. (*Reasoner v. Housing Authority of the City of Teague*, No. 07-551453, 2008 WL 2787486 (5th Cir. (Tex.)), July 18, 2008)

The Housing Authority of the City of Teague permitted Rashay Reasoner to lease a public housing unit in a complex specifically designated for elderly persons although Reasoner, who is not elderly, planned to live with her minor son in the complex. The authority allowed Reasoner to lease the unit as an accommodation for her disabilities.

After the authority received complaints from other residents about loud, disorderly, or unlawful conduct, including Reasoner's threat to kill another tenant, the housing authority notified Reasoner that she and her son would have to vacate. The authority issued a second notice adding failure to pay rent as another basis for the eviction. The trial court ruled in favor of the housing authority, and Reasoner did not appeal the judgment.

### Fair Housing Complaint

Instead, she filed a suit alleging discrimination under the Fair Housing Act based on her disability and familial status. She subsequently abandoned her disability claim and pursued only her familial status discrimination claim.

Four days before the scheduled trial, the housing authority amended its answer to include as a defense the statutory exemption for housing for older persons from all provisions of the Fair Housing Act regarding familial status.

The district court allowed the amendment over Reasoner's objection, saying the exemption claim should not have been a surprise to the plaintiff. At the end of a bench trial, the district court found in favor of the housing authority, based on the complex's designation as housing for older persons.

### Court Ruling

On appeal, Reasoner argued that the district court should not have allowed the housing authority to amend its answer, should have held the housing authority to the compelling business necessity standard in establishing a justification for evicting Reasoner and her son, and should not have allowed evidence regarding Reasoner's threat against another tenant.

The court concluded that the district court did not abuse its discretion in allowing the housing authority to amend its answer and that Reasoner failed to challenge the district court's conclusion that the fair housing claim of familial status discrimination did not apply in this case because of the exemption for elderly housing. The court affirmed the district court's judgment and declined to consider Reasoner's other points.

The court said that the district court has discretion to grant a motion to amend a pleading. Because the applicability of the statutory exemption was an issue of law, and all parties knew that the complex was housing for older persons (which was admitted at trial), the court held that Reasoner was not prejudiced by the denial of the opportunity for discovery.

In addition, the court noted that the statutory exemption from the familial status provisions for housing for older person is included in a related section of the same title under which Reasoner brought her claim. The court agreed with the district court's conclusion that Reasoner should not have been surprised by the housing authority's defense. Therefore, the court said the district court did not abuse its discretion by allowing the housing authority to amend its answer in this case.

The court did not consider Reasoner's other points and affirmed the judgment of the district court.

ANTELOPE AVILLEY PRESS  
AUGUST 22, 2008

## Section 8 recipient facing grand theft, perjury charges

PALMDALE — A Section 8 recipient was arrested Wednesday and charged with grand theft and perjury for allegedly lying on her application forms, Sheriff's Department officials said.

The arrest of Latanya Williams, 39, was the 14th since a new county-wide get-tough policy on Section 8 violators was unveiled in January, sheriff's Sgt. Kyle Bistline said.

Rather than simply receiving a citation, accused violators face criminal charges and will have to pay restitution if found guilty, officials said.

Sheriff's deputies and investigators conduct regular compliance searches of homes to check if recipients are following the rules, Bistline said.

— DAISY RATZLAFF



*Daily News — Wednesday, September 03, 2008*

# Housing costs push many away

**STUDY:** High prices making some live farther from their jobs.

By Kerry Cavanaugh  
Staff Writer

The continued high cost of housing hurts young workers, the middle class and businesses by forcing employees to live far from their jobs, according to a report released Tuesday by the Los Angeles Business Council.

Despite a recent building boom that created more supply and the current foreclosure crisis that has pushed down prices, too few residents can afford to live near their work.

"A lack of housing near job sites consistently serves as one of the major obstacles to doing business in this region, and the situation is getting worse," said Antonio Manning, a vice president for Washington Mutual and one of the report's authors.

The Workforce Housing Scorecard marks the first time the council has attempted to quantify the number of homes versus jobs created in Los Angeles County.

It found that the county added more than 1.4 million residents from 1990 to 2007 but only built about 195,000 housing units.

The San Fernando Valley, the Westside, Santa Clarita, Santa Monica and Pasadena all boosted home construction to keep pace with new jobs.

But the report doesn't say whether the new homes in those communities were affordable for the people working in those new jobs.

"Where it gets tricky is when you talk affordable housing," said Mary Leslie, the council's president.

Fewer than 11 percent of the homes for sale during the first quarter of 2008 were affordable to families earning the median income of \$53,000.

Since many employees move away from their jobs to find cheaper housing, the council is also pushing the proposed half-percent sales tax that would pay for the "subway to the sea" from downtown to the Westside, the Gold Line extension through the San Gabriel Valley and other public transit improvements.

Legislation was passed over the weekend to allow the sales tax increase. It needs the governor's signature to go on the November ballot.

"We have a sizable group of employers on the Westside that know that transportation infrastructure is critical for future growth," Leslie said.

kerry.cavanaugh@dailynews.com  
213-978-0390

## City needs Section 8 'iron fist,' Parris says

*This story appeared in the Antelope Valley Press  
Wednesday, September 10, 2008.*

**By JAMES RUFUS KOREN**  
**Valley Press Staff Writer**

LANCASTER - Noting the early-morning murder of four Lancaster residents and saying the city needs an "iron fist," Mayor R. Rex Parris on Tuesday introduced his nominees for a new city Section 8 Commission, calling the federally funded housing program a disease and a harbinger of crime and corruption.

The commission will work toward city officials' goal of transferring control of the Section 8 program from Los Angeles County to Palmdale and Lancaster, Parris said.

He said Section 8 has been a key factor in the Valley's rising crime rates in the past 20 years.

"Lancaster used to be a great place to live, and it is becoming a great place to live again," Parris said, "but we will not complete that process until this Section 8 housing is under control."

Parris nominated for the panel former City Council candidate Larry Grooms, an aide to Assemblywoman Sharon Runner, R-Lancaster; state parole agent Risa Shepler; Antelope Valley Air Quality Management District operations manager Bret Banks, who was a local landlord for 10 years; Antelope Valley Black Chambers of Commerce chairman Perry Watkins Jr.; former mayoral candidate Gene Gaynor; funeral home owner LeeRoy Halley; and former San Diego Housing Commission finance director Tim Sturtevant.

The nominations were formally presented at Tuesday night's City Council meeting.

The City Council will vote on whether to appoint the nominees at its Sept. 23 meeting.

Section 8 is a federally funded housing assistance program that provides housing vouchers to qualifying low-income families. It is administered in the Antelope Valley by the Los Angeles County housing authority.

Along with working to gain more local control of the Section 8 program, the commission will help develop city ordinances aimed at punishing absentee landlords for renting to criminal tenants, City Councilwoman Sherry Marquez said.

One such policy is apparently already in the works, Vice Mayor Ron Smith said.

He said the city may be able to limit the number of Section 8 vouchers in the Antelope Valley by limiting the number of business licenses given to landlords to accept Section 8 vouchers.

He called that idea a "back door," a way to circumvent the county and federal governments by

exercising the city's right to regulate businesses.

Smith and City Manager Mark Bozigian mentioned another ordinance that would charge landlords if sheriff's deputies are frequently called to their rental properties.

"Then they're not going to rent to those tenants," Smith said.

Marquez said that ordinance would target all landlords who rent to questionable tenants, not just those who accept Section 8 vouchers.

Smith said such ordinances are especially important given the increasing number of homes that are falling into foreclosure and could be purchased by absentee landlords.

Parris said Lancaster needs to develop a "policy that will eliminate the supply" of Section 8 housing, which he said is largely owned by landlords who live outside of the Antelope Valley.

"If a landlord decides they want to be a Section 8 landlord, they should be prepared to lose their houses," Parris warned, even saying the city should bulldoze houses to deter landlords from renting to Section 8 tenants.

"There is an absolute correlation between rising crime and increases in Section 8," the mayor said after remarking that the discovery of four murder victims in Lancaster on Tuesday morning is a reminder "of the threat that exists as a result of Section 8 housing."

Sheriff's officials have not said whether the house in which the murders occurred was subsidized by Section 8.

A key difference between low- and high-crime neighborhoods, Parris said, is that people in low-crime neighborhoods tend to own the homes they live in. Lancaster, he said, is "out of balance."

"These are people who will be able to have the most impact in correcting that imbalance," Parris said of the seven commission nominees. "I want you to have an iron fist."

Marquez said the commission will help put together a "road map" that will guide the city in taking control of the Section 8 program. She said commissioners will "be the face" of the city's efforts.

"They'll get out there, talking to the public," she said. "They'll put feet to what the city can't do."

Smith said the city doesn't want to go after senior citizens, disabled people and other people who use the Section 8 program properly.

But he also said the program has become a "generational entitlement" and that able-bodied people should be able to receive Section 8 assistance for a limited time, not perpetually.

jkoren@avpress.com

**FOR YOUR INFORMATION**


**Housing Authority - County of Los Angeles**

FOR YOUR INFORMATION ONLY

September 17, 2008

To: Each Supervisor

From: William K. Huang, Acting Executive Director



**SUBJECT: MONTHLY PROGRESS REPORT ON THE SECTION 8 PROGRAM**

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On March 13, 2007, your Board instructed the Housing Authority to report monthly on the progress to remove the Section 8 program from its Troubled status under the Section 8 Management Assessment Program (SEMAP). On June 17, 2008, your Board directed the Housing Authority to report on progress made in obtaining HUD VASH (Veterans Affairs Supportive Housing Program) vouchers.

This report covers activities for the period between August 13, 2008 and September 12, 2008, and provides information on the following:

- Lease-up
- Annual Re-Examinations
- Inspections
- Corrective Action Plan
- HUD OIG Audit Report
- HUD OIG Audit on Financial Systems
- The Confirmatory Review for FY 2006-2007
- YARDI System Update
- Los Angeles Housing Resource Center
- Call Center
- HUD - VASH Vouchers

**Lease-up, Annual Re-examinations and Inspections**

As previously reported, our voucher allocation has increased to 20,876. As of August 31, 2008, our lease-up rate was 96.3%, representing a total of 20,106 assisted families throughout the County. We are maintaining a 2% delinquency rate for our inspections, and are at a 3% delinquency rate for our annual re-examinations. HACoLA's data is pulled from HUD's data reporting system, the Public and Indian Housing Information Center (PIC), which is used to obtain SEMAP performance status.

**Corrective Action Plan**

To date, one member of the Housing Advisory Board is pending completion of the training as required by the Corrective Action Plan (CAP). As I previously reported, HUD has closed all other items of the CAP.

**HUD OIG Audit on Tenant Eligibility and Annual Reexaminations**

HUD staff was at HACoLA the week of September 8, 2008 to conduct a confirmatory review of our responses to the initial audit. They are continuing to review open items. I will share the final report upon receipt.

**HUD OIG Financial Audit**

The on-site audit is still in progress. I will report to your Board if and when any recommendations are made.

**HUD's On-Site Confirmatory Review for FY 2007**

The follow-up to the on-site confirmatory review for FY 2007 took place the week of July 28, 2008. The results of the review were received the week of September 5 (see attached letter).

As previously reported, there was a reduction of SEMAP points for specific indicators, which resulted in a Troubled status rating. However, we have completed FY 2008 and believe our SEMAP score has improved enough to achieve a Standard rating. HACoLA has already addressed the issues in question through the implementation of business improvement practices begun in CY 2007 and continuing through CY 2008. HUD indicated that the earliest the on-site confirmatory review for FY 2008 can take place would be November 2008, only if Federal travel funding is available.

**YARDI Status**

The YARDI system has been in place since July 1, 2008; HAP payments have been released using the new system.

The independent review of YARDI is still in progress, but is expected to be completed by the end of September 2008.

**Los Angeles Housing Resource Center (formerly Socialserve.com)**

For a 28-day period between August 15 and September 11, 2008, the Los Angeles Housing Resource Center averaged 5,864 total listings (a 4% increase over last month), 3,893 participating landlords (a 3% increase over last month), and 141,517 housing searches.

**Call Center**

Our update will continue next month, as we are in the process of conducting an analysis of call center data over the last few months.

**HUD-VASH Vouchers**

We are continuing to work with the City of Long Beach and the Housing Authority of the City of Los Angeles (HACLA), who received 70 and 840 vouchers, respectively.

The following activities update the previous report(s):

On September 8, 2008 the Special Needs Housing Unit (SNHU) at HACoLA met with representatives from the Veterans Affairs Medical Centers of West L.A. and Long Beach

Each Supervisor  
September 17, 2008  
Page Three

(VA), HACLA, and the County of Los Angeles Department of Military and Veterans Affairs (DMVA). The meeting focused on how to tap into the 840 HUD VASH vouchers HACLA received and how to prepare for the next round of VASH funding.

- a) The DMVA currently participates in HACoLA's Section 8 Homeless Set-Aside Program; they have an allocation of 50 vouchers that have been successfully leased.
- b) VA staff handed out client referral forms and provided information on how to proceed with VASH Program referrals.
- c) Larry Newnam, Project Manager with Housing Development and Preservation at HACoLA, attended the meeting to introduce the VA HUD VASH staff, HACLA and the DMVA to the LA County Housing Resource Center (LAHRC). DMVA staff already use the website; HACLA expressed interest in becoming a partner in the LACHRC, while this was a new resource for the VA Centers.

Please contact me should you have any questions or need additional information.

WKH:LO  
Attachment

c: Lari Sheehan, Chief Deputy Executive Officer  
Sachi A. Hamai, Executive Officer/Clerk Board of Supervisors  
Each Deputy



*C. Mangione*

U.S. Department of Housing and Urban Development  
Cleveland Area Office  
U.S. Bank Centre  
1350 Euclid Avenue, Suite 900  
Cleveland, Ohio 44115-1815

RECOVERY AND PREVENTION CORPS

September 5, 2008

Mr. ~~Gregg Fortner~~ *William Huang*  
Acting Executive Director  
Housing Authority of the County of Los Angeles  
12131 Telegraph Rd  
Santa Fe Springs, CA 90670

Dear Mr. Fortner:

The purpose of this letter is to transmit the final results of the on-site assessment and SEMAP Certification Review of the Section 8 Program administered by the Housing Authority of the County of Los Angeles (HACoLA). This review was conducted under the provisions of 24 CFR 985.107 as a result of the most recent Section 8 Management Assessment Program (SEMAP) Certification for FYE June 30, 2007, your agency received a score of 90 points out of a possible 145 points or 62 percent, and was designated a standard performer.

The on-site SEMAP Certification Review was conducted by a team from the U.S. Department of Housing and Urban Development's Office of Field Operations, Cleveland Office of Recovery and Prevention Corps (RPC) during the months of June and July, 2008.

The following report provides specific details on the results of the on-site review by functional areas of the HACoLA's Section 8 program administration. The following chart is a summary of the scoring results from the submitted certification and the modified score based on the on-site review.

The program management assessment portion of the SEMAP Certification Review report evaluates the PHA's performance in the areas of Governance, Administrative Plan and related policies, Organization and Staffing, Financial management and controls, Procurement, Inspection Procedures, Housing Stock, Lead Based Paint, and a Check on Closed OIG Audit Findings of Housing Quality Standards (HQS).



It should be noted that 70 out of a possible 145 points is equivalent to 48 percent, which results in a **Troubled designation**. PHAs with troubled performance ratings are required to submit a Corrective Action Plan (CAP) to correct deficiencies as defined in 24 CFR 985.107 that include strategies and goals for achieving improved management performance.

The corrective action plan must:

- (1) Specify goals to be achieved;
- (2) Identify obstacles to goal achievement and ways to eliminate or avoid them;
- (3) Identify resources that will be used or sought to achieve goals;
- (4) Identify a PHA staff person with lead responsibility for completing each goal;
- (5) Identify key tasks to reach each goal;
- (6) Specify time frames for achievement of each goal, including intermediate time frames to complete each key task; and
- (7) Provide for regular evaluation of progress toward improvement.
- (8) Be signed by the PHA Board of Commissioners Chairperson and by the PHA Executive Director.

We have enclosed a sample CAP format for your review and guidance in developing a CAP for your agency's SEMAP deficiencies (indicator rating of zero). The HACoLA will have 45 calendar days from the date of HUD notice to send a written report to HUD describing its correction of any identified SEMAP deficiency.

The courteous and professional manner that was extended to the Review Team by the HACoLA staff is greatly appreciated. If you have any questions regarding the information contained in the report or require clarification of any issues, please contact Ms. Carolyn Cain, Team Lead at (216) 522-4300, extension 7938.

Sincerely,

Patricia A. Knight  
Director

Enclosure

Cc: Yvonne B. Burke, Chairperson, Board of Commissioners  
K. J. Brockington, Director, Office of Public Housing, Los Angeles Field Office

**Scoring Report on the Confirmation of Section 8 Management  
Assessment Program (SEMAP) Certification for the  
Housing Authority of County of Los Angeles (HACoLA)  
Fiscal Year Ending June 30, 2007**

Indicator	Max. Score	Original Certification	Unconfirmed Score	HUD Review Score
1. Selection from the Waiting List	15	15	15	15
2. Reasonable Rent	20	20	20	20
3. Determination of Adjusted Income	20	0	0	0
4. Utility Allowance Schedule	5	5	5	5
5. HQS Quality Control Inspections	5	5	5	5
6. HQS Enforcement	10	0	0	0
7. Expanding Housing Opportunities	5	5	5	0
8. Payment Standards	5	5	5	5
9. Annual Reexaminations *	10	10	10	0
10. Correct Tenant Rent Calculations *	5	5	5	5
11. Pre-Contract HQS Inspections *	5	5	5	0
12. Annual HQS Inspections *	10	10	10	10
13. Lease-Up	20	0	0	0
14. Family Self-Sufficiency *	10	5	5	5
15. Deconcentration Bonus **	N/A	N/A	N/A	N/A
Total	145	90	90	70
Percent		62	62	48

Note\* - These indicators rely on the PIC/MTCS system.


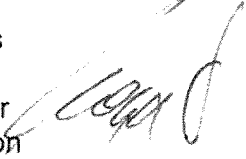
Note\*\* - The Deconcentration Bonus is worth a maximum of five points, but only if the PHA certifies to this indicator. If the PHA is not required to certify to this indicator, and elects not to do so, it does not lower the overall score.

**Housing Authority - County of Los Angeles**

FOR YOUR INFORMATION ONLY

September 24, 2008

TO: Housing Commissioners

FROM:  Margarita Lares, Director  
Assisted Housing Division 

RE: **THE FAMILY SELF-SUFFICIENCY (FSS) PROGRAM**

**FSS Program Update for September**

The Family Self-Sufficiency (FSS) Program is a HUD initiative intended to promote the development of local strategies to enable families both in public housing and the Housing Choice Voucher Program to achieve economic independence and self-sufficiency.

This report is provided to the Housing Authority of the County of Los Angeles Housing Commissioners on a monthly basis.

**FSS Program Update for August**

- The Family Self Sufficiency staff continued its ongoing recruitment efforts, with a total of 10 new applicants, all of whom were eligible for the Family Self Sufficiency Program.
- Staff enrolled 16 new participants.
- FSS staff received 2 requests to graduate from the Family Self Sufficiency program.
- The FSS Program staff graduated 1 successful participant from the Family Self Sufficiency Program.
- FSS staff conducted the Money Smart credit education workshop "Charge it Right", on August 23, 2008, at the Housing Authority's Santa Fe Springs office.
- 150 announcements were sent announcing the Money Smart workshop that is to be conducted in September by FSS staff at the Palmdale office.

**Resource and Referrals**

- An FSS representative attended the Southeast Area Social Services Funding Authority (SASSFA) partnership and advertising meetings. Staff provided member partners with information concerning the FSS program, assisted in the planning of the annual partnership job and information fair and volunteered to conduct the fair's resume writing workshop.

- Resource information on the WorkSource Network, Adult Education, and Job Fair information were disseminated during recruitment and case management activities.
- FSS staff attended in-house training in the Yardi computer system.
- FSS staff conducted a thorough reconciliation of all existing FSS escrow accounts.
- Staff members created a Standard Operating Procedures (SOP) document that will be used in the creation of the final SOP document.
- FSS staff referred 14 FSS applicants to WorkSource Centers resource for job search assistance and 6 FSS participants for job search and resume writing and review assistance.
- FSS staff communicated with and assisted over 400 FSS participants with general Housing Choice Voucher questions, FSS Program queries, issues and supportive services information.
- Resource information for employment opportunities, budgeting, money saving tips and homeownership workshops were disseminated to 26 FSS participants and applicants during the August workshops and other appointments.
- FSS staff referred 7 FSS participants to the CDC Home Ownership Program (HOP) per the tenant's request.

### **Graduates**

The FSS Program staff conducted one graduation ceremony in August, graduating one successful participant from the FSS Program. The number of successful graduates for fiscal year 2008 – 2009 is nine.

If you have any questions, please feel free to contact me at (562) 347-4837.

ML:dt

## HOUSING AUTHORITY COUNTY OF LOS ANGELES - CONVENTIONAL AND NON-CONVENTIONAL HOUSING

FOR YOUR INFORMATION ONLY

GROUP NO.	SITE	HUD DEV. NO.	PROJECT NUMBER	ADDRESS	Date of Sale Acquired	NO. OF UNITS
1	Carmelitos (family)	CA16P002001	SS1102	700 Via Wanda, Long Beach 90805	1938/1986	558
1	Carmelitos (senior)	CA16P002026	SS1102	761 Via Carmelitos, Long Beach 90805	1938/1986	155
	<b>Total Unit Count: Carmelitos</b>					<b>713</b>
2	Harbor Hills (family/senior)	CA16P002002	SS1203	26607 S. Western Ave., Lomita 90717	1941	301
	<b>Total Unit Count: Harbor Hills</b>					<b>301</b>
3	Nueva Maravilla (family/senior)	CA16P002004	SS1301	4919 E. Cesar E. Chavez Ave., Los Angeles 90022	1972	504
	<b>Total Unit Count: N. Maravilla</b>					<b>504</b>
4	West Knoll (senior)	CA16P002014	SS3001	838 West Knoll Ave., West Hollywood 90069	1977	136
4	Palm Apartments (senior)	CA16P002014	SS3002	959 Palm Ave., West Hollywood 90069	1978	127
	<b>Total Unit Count: West County 1</b>		<b>Admin Project XX0930</b>			<b>263</b>
5	Marina Manor I (senior)	CA16P002013	SS3003	3401 Via Dolce, Marina Del Rey 90292	1983	112
5	Marina Manor II (senior)	CA16P002027	SS3003	3405 Via Dolce, Marina Del Rey 90292	1983	71
5	Ocean Park (family/senior)	CA16P002018	SS3006	175 Ocean Park Boulevard, Santa Monica 90405	1947	22
5	Monica Manor (family)	CA16P002097	SS3007	1901-1909 11th Street, Santa Monica 90405	1987	19
	<b>Total Unit Count: West County 2</b>		<b>Admin Project XX0935</b>			<b>224</b>
6	Orchard Arms (senior)	CA16P002030	SS2001	23410-23540 Wiley Canyon Rd., Valencia 91355	1980	183
6	Foothill Villa (senior)	CA16P002029	SS2002	2423 Foothill Boulevard, La Crescenta 91214	1981	62
6	Quartz Hill I (family)	CA16P002062	SS2003	5028 West Avenue L-12, Quartz Hill 93536	1984	20
6	Quartz Hill II (family)	CA16P002069	SS2003	42051 51th Street West, Quartz Hill 93536	1984	20
	<b>Total Unit Count: North County</b>		<b>Admin Project XX0920</b>			<b>285</b>
7	Francisquito Villa (family)	CA16P002015	SS4002	14622 Francisquito Ave., La Puente 91746	1979	89
7	Carmelita Avenue (senior)	CA16P002091	SS4003	354-354 So. Carmelita Ave., Los Angeles, 90063	1975	2
7	McBride Avenue (family)	CA16P002021	SS4004	1229 So. McBride Ave., Los Angeles, 90023	1968	4
7	Williamson Avenue (family)	CA16P002020	SS4005	706-708 1/2 So. Williamson Ave., Los Angeles, 90022	1972	4
7	Triggs Street (family/senior)	CA16P002097	SS4006	4432-4434 1/2 Triggs St., Los Angeles 90023	1964	4
7	Simmons Avenue (family)	CA16P002021	SS4007	927 So. Simmons Ave., Los Angeles, 90022	1939	4
7	4th & Mednick (family)	CA16P002034	SS4009	341 So. Mednick Ave., Los Angeles, 90022	1985	2
7	Arizona & Olympic (family)	CA16P002048	SS4010	1003-1135 So. Arizona Ave., Los Angeles 90022	1984	18
7	Whittier Manor (senior)	CA16P002033	SS4011	11527 Slauson Ave., Whittier 90606	1986	49
7	Herbert Ave (senior)	CA16P002058	SS4012	133 Herbert Ave., Los Angeles 90063	1985	46
7	Sundance Vista (family)	CA16P002156	SS4014	10850 Laurel Ave., Whittier 90605	1999	41
	<b>Total Unit Count: East County</b>		<b>Admin Project XX0940</b>			<b>263</b>
8	El Segundo I (family)	CA16P002023	SS5001	1928/37/49 E. El Segundo Blvd., Compton 90222	1972	30
8	South Bay Gardens (seniors)	CA16P002032	SS5002	230 E. 130th St., Los Angeles 90061	1981	100
8	1115-16 W. 90th St. (family)	CA16P002091	SS5005	1115-16 W. 90th St., Los Angeles 90044	1986	18
8	El Segundo II (2140) (family)	CA16P002052	SS5015	2140-2144 1/2 E. El Segundo Blvd., Compton 90222	1985	13
8	El Segundo II (2141) (family)	CA16P002061	SS5015	2141-2145 E. El Segundo Blvd., Compton 90222	1985	5
8	9104-18 S. Banderita St. (family)	CA16P002080	SS5016	9104-18 S. Banderita St., Los Angeles, 90002	1961	8
8	1535 E. 83rd Street (family)	CA16P002080	SS5017	1535 E. 83rd St., Los Angeles 90002	1985	2
8	1615-17 E. 87th Street (family)	CA16P002067	SS5018	1615-17 E. 87th St., Los Angeles 90002	1985	4
8	8739 Beach St. (88th & Beach) (family)	CA16P002056	SS5019	8739 Beach St., Los Angeles 90002	1985	4
8	4212-20 E. Addington Street (family)	CA16P002071	SS5020	4212-20 E. Addington St., Compton 90221	1984	3
8	W. Imperial (family)	CA16P002132	SS5026	1221 & 1309 E. Imperial Hwy., Los Angeles 90044	1992	9
8	Athens (family)	CA16P002127	SS5027	1120 W. 107th St., 1310 W. 110th St., & 11104 S. Normandie Ave., Los Angeles 90044	1996	10
8	1527 E. 84th (family)	CA16P002107	SS5029	1527 E. 84th St., Los Angeles 90001	1998	4
8	Jarvis Avenue (family)	CA16P002107	SS5030	12920 Jarvis Ave., Los Angeles 90061	1997	1
8	Woodcrest I (family)	CA16P002066	SS5003	1239 W. 109th St., Los Angeles 90044	1983	10
8	Woodcrest II (family)	CA16P002090	SS5003	1245 W. 109th St., Los Angeles 90044	1983	10
8	1101-09 W. 91st (family)	CA16P002021	SS5006	1101-09 W. 91st St., Los Angeles 90044	1965	16
8	1232-34 E. 119th (family)	CA16P002021	SS5007	1232-34 E. 119th St., Los Angeles 90059	1955	2
8	1231-33 E. 61st (family)	CA16P002021	SS5008	1231-33 E. 61st St., Los Angeles 90001	1961	6
8	1100 W. 106th Street (family)	CA16P002021	SS5009	1100 W. 106th St., Los Angeles 90044	1970	10
8	1104 W. 106th Street (family)	CA16P002020	SS5009	1104 W. 106th St., Los Angeles 90044	1970	10
8	1320 W. 107th (family)	CA16P002021	SS5010	1320 W. 107th St., Los Angeles 90044	1970	18
8	11431-463 S. Normandie (family)	CA16P002020	SS5011	11431-463 S. Normandie Ave., Los Angeles 90047	1970	28
8	1027-33 W. 90th (family)	CA16P002078	SS5014	1027-33 W. 90th St., Los Angeles 90044	1986	6
8	W. 106th Street & Budlong (family)	CA16P002079	SS5021	1334-38 W. 106th St. 9410 & 11126 Budlong Ave., Los Angeles 90044	1984	11
8	W. 94th & 95th Street (family)	CA16P002060	SS5022	1035-37 1/2 W. 94th St. & 1324 W. 95th St., Los Angeles 90044	1985	8
8	W. 105th & 106th (family)	CA16P002124	SS5024	1336-40 W. 105th St. & 1057 W. 106th St., Los Angeles 90044	1991	13
8	Century Wilton (family)	CA16P002020	SS5025	10025 Wilton Place, Los Angeles 90047	1965	40
8	11248 S. Budlong (family)	CA16P002138	SS5028	11248 S. Budlong, Los Angeles 90044	1996	6
8	1111th & Firmona	Pending	SS5031	11117 & 11119 Firmona Ave., Lennox 90304	2008	2
8	Lindsey	Pending	SS5032	4621 & 4625 Lindsey St., Compton 90221	2008	2
	<b>Total Unit Count: South County</b>		<b>Admin Project XX0950</b>			<b>409</b>

<b>Total Housing Authority-Owned - Conventional</b>					<b>2,962</b>
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<b>City of Lomita - Conventional</b>	Lomita Manor (senior)		SS1204	24925 Walnut St., Lomita 90717		78
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<b>Non-Conventional Housing</b>						
	Kings Road JPA (senior)		UU0001	800-801 N. Kings Road., West Hollywood 90069	1980	106
	Lancaster Homes (senior)		UU0002	711-737 W. Jackman St., Lancaster 93534	1978	120
	Santa Monica RHCP (family)		SS3005	1855 9th St., 1450 14th St., & 2006 20th St., Santa Monica 90404	1983	41
	Villa Nueva RHCP (family)		SS4013	958-676 S. Ferris Ave., Los Angeles 90022	1985	21
	Willowbrook (family)		SS6001	11718-11740 Willowbrook Ave., Los Angeles 90044	1975	8
	Ujima Village (family/senior)		SS8001	941 E. 126th St., Los Angeles 90059	1971	300

<b>Total Number of Units- Non Conventional</b>						<b>596</b>
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<b>Total Number of Units- HM</b>						<b>3,636</b>
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**HOUSING AUTHORITY  
of the County of Los Angeles**

Administrative Office

2 Coral Circle • Monterey Park, CA 91755  
323.890.7001 • TTY: 323.838.7449 • www.lacdc.org



**Gloria Molina**  
**Yvonne Brathwaite Burke**  
**Zev Yaroslavsky**  
**Don Knabe**  
**Michael D. Antonovich**  
*Commissioners*

**William K. Huang**  
*Acting Executive Director*

September 24, 2008

Honorable Housing Commissioners  
Housing Authority of the  
County of Los Angeles  
2 Coral Circle  
Monterey Park, CA 91755

Dear Commissioners:

**APPROVE CONTRACT FOR A PHYSICAL NEEDS ASSESSMENT FOR  
HOUSING DEVELOPMENTS WITHIN LOS ANGELES COUNTY  
(ALL DISTRICTS)**

**SUBJECT**

Approval of this Contract will provide for a physical needs assessment of 56 Housing Authority properties to determine the useful life of all major building systems and the potential life-cycle replacement of all major building systems during a 20-year term.

**IT IS RECOMMENDED THAT YOUR COMMISSION:**

1. Recommend that the Board of Commissioners find that approval of a Contract for a physical needs assessment is not subject to the provisions of the California Environmental Quality Act (CEQA), as described herein, because the activities are not defined as a project under CEQA.
2. Recommend that the Board of Commissioners approve and authorize the Acting Executive Director of the Housing Authority to execute a Contract in the amount of \$170,019 in Capital Funds Program (CFP) funds provided by the U.S. Department of Housing and Urban Development (HUD), with Clampett Industries, LLC d/b/a EMG (EMG), to be effective upon Board approval through November 30, 2009, to provide physical needs assessment services for 56 housing developments located throughout the County of Los Angeles that are owned or managed by the Housing Authority.
3. Recommend that the Board of Commissioners authorize the Acting Executive Director to approve Contract change orders not exceeding \$42,504 for unforeseen project costs, using the same source of funds.



4. Recommend that the Board of Commissioners authorize the Acting Executive Director to incorporate up to \$212,523 in CFP funds into the Housing Authority's approved Fiscal Year 2008-2009 budget, for the purposes described above.
5. Recommend that the Board of Commissioners authorize the Acting Executive Director to execute amendments to the Contract for an annual ongoing database maintenance fee, following approval as to form by County Counsel, to extend the time of performance for a maximum of four years, in one-year increments, at the cost of \$7,500 per year, using funds to be approved through the annual budget process.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of this action is to enter into a Contract to provide for a physical needs assessment of 56 properties located throughout the County that are owned or managed by the Housing Authority. HUD requires a physical needs assessment of the Housing Authority's properties. The assessment will determine the useful life of all major building systems and the potential life-cycle replacement of all major building systems during a 20-year term and will include dwelling structures, dwelling and non-dwelling equipment, management facilities, community activity spaces, open spaces and playgrounds.

This Contract will also provide a web-based database system that will store data collected and provide reports from the assessment.

#### **FISCAL IMPACT/FINANCING**

There is no impact on the County general fund. The aggregate amount for all five years of the Contract, if fully extended, will be \$200,019 plus an additional \$42,504 for unforeseen project costs, for a total aggregate amount not to exceed \$242,523.

For the first year of services under the Contract, the Housing Authority will use a maximum aggregate of \$170,019 in CFP funds allocated by HUD, to be included in the Housing Authority's approved Fiscal Year 2008-2009 budget. After the first year, the Housing Authority may extend the Contract for an additional four years, in one-year increments, contingent upon availability of funds. If extended, compensation for the second, third, fourth and fifth years of the Contract will not exceed a maximum aggregate amount of \$7,500 for each year, using funds to be approved through the annual budget process. The funding for the additional four years will cover the ongoing

maintenance of the web-based database system, which includes hosting, access, trouble shooting and uploading of documents.

The \$42,504 to cover unforeseen project costs will also be funded with CFP funds allocated by HUD, to be included in the Housing Authority's approved Fiscal Year 2008-2009 budget.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

These services are being federally funded and are not subject to the requirements of the Greater Avenues for Independence (GAIN) Program or the General Relief Opportunity for Work (GROW) Program implemented by the County. Instead, EMG will comply with Section 3 of the Housing and Community Development Act of 1968, as amended, which requires that employment and other economic opportunities generated by certain HUD assistance be directed to low- and very low-income persons, particularly to persons who are recipients of HUD housing assistance.

The Contract has been approved as to form by County Counsel and executed by EMG.

### **ENVIRONMENTAL DOCUMENTATION**

This action is exempt from the provisions of the National Environmental Policy Act (NEPA) pursuant to 24 Code of Federal Regulations, Part 58, Section 58.34 (a)(3) because it involves administrative activities that will not have a physical impact on or result in any physical changes to the environment. The activity is not subject to the provisions of the CEQA pursuant to State CEQA Guidelines 15060(c)(3) and 15378 because it is not defined as a project under CEQA and does not have the potential for causing a significant effect on the environment.

### **CONTRACTING PROCESS**

On July 17, 2008, the Housing Authority initiated an outreach to identify a contractor. Request for Proposal Notices were mailed to 535 architects and engineers identified from the Housing Authority's vendor list. Advertisements also appeared in nine local newspapers and on the Housing Authority's and the County's websites. Forty-one proposal packages were distributed.

On August 11, 2008, five proposals were received and subsequently evaluated using a 1000 point system. The proposal submitted by EMG received the highest score and is being recommended for the Contract award.



Honorable Housing Commissioners  
September 24, 2008  
Page 4

The Summary of Outreach Activities is provided as Attachment A.

**IMPACT ON CURRENT SERVICES**

This Contract will allow the Housing Authority to ensure the long-term physical viability of its properties and to continue providing a safe living environment for residents.

Respectfully submitted,

  
for WILLIAM K. HUANG  
Acting Executive Director

Attachments (2)

## **ATTACHMENT A**

### Summary of Outreach Activities

#### **Physical Needs Assessment Consulting Services Contract for Fifty-Six Housing Developments**

On July 17, 2008, the following outreach was initiated to identify a proposer to provide, physical needs assessment consulting services for at 56 Housing Authority housing developments located throughout Los Angeles County.

##### **A. Newspaper Advertising**

Announcements appeared in the following nine local newspapers:

La Opinion	Los Angeles Sentinel
Eastern Group Publications	Los Angeles Times
International Daily News	The Daily News
Long Beach Press Telegram	Agua Dulce News
WAVE Community Newspapers	

An announcement was also posted on the Housing Authority's and the County's websites.

##### **B. Distribution of Proposal Packets**

The Housing Authority's vendor list was used to mail out Requests for Proposal Notices to 535 contractors, of which 300 identified themselves as businesses owned by minorities or women (private firms which are 51 percent owned by minorities or women, or publicly-owned businesses in which 51 percent of the stock is owned by minorities or women). As a result of the outreach, 41 proposal packages were distributed.

##### **C. Pre-Proposal Conference and Site Walk**

There was not a Pre-Proposal Conference. All questions were answered by Addendum No. 1 to the proposal package which was distributed to all 41 Proposers.

##### **D. Proposal Results**

On August 11, 2008, a total of five proposals were received and then evaluated using a 1000 point system. The evaluation scores are as follows:

<u>Company</u>	<u>Total Points</u>
IDS Group. Inc.	488
Ken Kurose Architect	555
CNA Specialists	668
The Nelrod Company	745
EMG	780

E. Minority/Female Participation – Firm Selected

<u>Name</u>	<u>Ownership</u>	<u>Employees</u>
Clampett Industries, LLC d/b/a/ EMG	Non-Minority	Total: 200 16 minorities 10 women 8% minorities 5% women

F. Minority/Female Participation – Firms Not Selected

<u>Name</u>	<u>Ownership</u>	<u>Employees</u>
The Nelrod Company	Minority	Total: 41 6 minorities 15 women 15% minorities 37% women
Ken Kurose Architect	Minority	Total: 3 2 minorities 1 women 67% minorities 33% women
CNA Specialists.	Non-Minority	Total: 1 0 minorities 0 women 0% minorities 0% women
IDS Group Inc.	Non-Minority	Total: 51 21 minorities 1 women 10% minorities 2% women

The Housing Authority conducts ongoing outreach to include minorities and women in the contract award process, including: providing information at local and national conferences; conducting seminars for minorities and women regarding programs and services; advertising in newspapers to invite placement on the vendor list; and mailing information to associations representing minorities and women. The above information has been voluntarily provided to the Housing Authority.

The recommended award of the contract is being made in accordance with the Housing Authority's policies and federal regulations, and without regard to race, creed, color, or gender.

## **ATTACHMENT B**

### Contract Summary

**Project Name:** PHYSICAL NEEDS ASSESSEMENT CONSULTING SERVICES  
**Location:** 56 HOUSING DEVELOPMENTS WITHIN LOS ANGELES COUNTY  
**Number:** CDC08-354  
**Contract Start Date:** October 7, 2008  
**Consultant:** Clampett Industries, LLC d/b/a EMG  
**Purpose:** The Consultant shall conduct a physical needs assessment of 56 Housing Authority properties to determine the useful life of all major building systems and the potential life-cycle replacement of all major building systems during a 20-year term. The Consultant shall submit a report for each of the 56 sites.

Additionally, the Consultant will also provide the Housing Authority with access to the Consultant's AssetCALC Asset Management Database program so that the Housing Authority can maintain current asset profiles for each site.

**Scope of Work:** See Attached Scope of Work

**Term:** Upon execution, the Contract shall remain in full force until November 30, 2009 unless sooner terminated or extended in writing.

**Option to Renew:** The Housing Authority has the option to renew the Contract for four (4) additional one year terms, unless sooner terminated or extended in writing.

**Performance Review:** A performance review shall be conducted no later than 90 days prior to the end of the Contract. Based on the assessment of the performance review, written notification will be given to the Contractor whether the agreement will be terminated at the end of the current year or will be continued into the next contract year.

**Compensation:** The Contractor shall be paid as full compensation for the work required, performed, and accepted, exclusive of all costs and expenses which will be deducted from the contract contingency amount, the maximum, not-to-exceed price of \$170,019 for the first year and \$30,000.00 (\$7,500 per year) for years two, three, four and five if fully extended.

**Contract Contingency:** \$42,504.00